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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,281	02/19/2002	Robert F. Meyerson	13944.102	3855
29956	7590	08/12/2005		EXAMINER
TIMOTHY P. O'HAGAN				HOOSAIN, ALLAN
8710 KILKENNY CT				
FORT MYERS, FL 33912			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/008,281	MEYERSON ET AL.
Examiner	Art Unit	
Allan Hoosain	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 20 May 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-22 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 5/20/05 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/2/05.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## FINAL DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,10 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Carlsen** (US 5,550,907).

As to Claims 1,10, with respect to Figures 1-2, **Carlsen** teaches a multi-media communication management system for operation with a plurality of subscriber stations, at least one of which serves a subscriber device, the multi-media communication management system comprising:

a network communication circuit for multi-media communication with said plurality of subscriber stations (Figure 6, label 604 and Figure 3, label 308);

a session control circuit for establishing a communication session with a selected subscriber station through the network communication circuit (Figure 3, label 309), comprising:

means for accessing a subscriber contact directory associated with the subscriber device served by the subscriber station (Figure 3, label 309,310),

means for receiving data from the selected subscriber station indicative of a selected contact from the subscriber directory (Figure 3, label 310); and

a communication session gateway coupled to the network communication circuit for establishing a communication channel to a destination associated with the selected contact (Figure 3, labels 312-314).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by **Knauerhase** (US 2003/0023691).

As to Claims 1,10, with respect to Figures 1-6, **Knauerhase** teaches a multi-media communication management system for operation with a plurality of subscriber stations, at least one of which serves a subscriber device, the multi-media communication management system comprising:

a network communication circuit for multi-media communication with said plurality of subscriber stations (Figure 1, labels 101-103);

a session control circuit for establishing a communication session with a selected subscriber station through the network communication circuit (Figure 3, label 301), comprising:

means for accessing a subscriber contact directory associated with the subscriber device served by the subscriber station (Figure 3, label 314),

means for receiving data from the selected subscriber station indicative of a selected contact from the subscriber directory (Figure 6, label 604 and P0023); and  
a communication session gateway coupled to the network communication circuit for establishing a communication channel to a destination associated with the selected contact (Figure 1, label 107 and Figure 6, labels 614,616).

As to Claims 2,11, **Knauerhase** teaches the multi-media communication management system of claim 1, wherein the session control circuit further comprises:

means for communicating at least a portion of the subscriber contact directory to the selected subscriber station (P0036, lines 16-20); and  
means for communicating control messages to the selected subscriber station to effect the display of at least a portion of the subscriber contact directory (P0036, lines 16-20).

As to Claims 3, 12, **Knauerhase** teaches the multi-media communication management system of claim 2, wherein the session control circuit further comprises:

means for identifying parameters of a display associated with the selected subscriber station (P0036, lines 16-20); and  
means for communicating display layout messages compatible with the parameters to the selected subscriber station (P0036, lines 16-20).

As to Claims 4,13, **Knauerhase** teaches the multi-media communication management system of claim 2, wherein the session control circuit further comprises:

means for communicating control messages to the selected subscriber station to effect the communication of at least a portion of the subscriber contact directory to the subscriber device and to effect the display of at least a portion of the subscriber directory by the subscriber device (P0023 and P0036).

As to Claims 5,14, **Knauerhase** teaches the multi-media communication management system of claim 1, wherein the session control circuit further comprises:

means for accessing subscriber contact files stored on the subscriber device (P0023)

means for updating the subscriber contact directory to include at least a portion of the subscriber contact files (P0035, lines 11-13).

As to Claims 6,15, **Knauerhase** teaches the multi-media communication management system of claim 1, wherein the communication channel comprises:

a first communication channel between the communication session gateway and the selected subscriber station (Figure 2 and Figure 1); and

a second communication channel between the communication session gateway and a second subscriber station that is identified by the destination (Figure 2 and Figure 1).

As to Claims 7,16, **Knauerhase** teaches the multi-media communication management system of claim 1, wherein the communication channel comprises:

a first communication channel between the communication session gateway and the subscriber station and a second communication channel between the communication session gateway (Figures 1-2); and

a second subscriber station that is serving a second subscriber device that is associated the selected element of the subscriber communication information (P0023).

As to Claims 8,17, **Knauerhase** teaches the multi-media communication management system of claim 1, further comprising:

a service provider interface for interconnecting the communication session gateway with a service provider communication medium (Figure 2, label 202); and

wherein the communication channel comprises:

a first communication channel between the communication session gateway and the subscriber station (Figure 2, label 201); and

a second communication channel over the service provider communication medium (Figure 2, label 205).

As to Claim 9, **Knauerhase** teaches the multi-media communication management system of claim 1, wherein the network communication circuit comprises:

at least one wireless transceiver for exchanging wireless signals with a compatible wireless transceiver in each subscriber station (Figure 2, label 206).

As to Claims 18-22, with respect to Figures 1-6, **Knauerhase** teaches a method of managing multi-media communications associated with a subscriber station and at least one subscriber device served by the subscriber station, the method comprising the steps of:

establishing a communication session with a selected subscriber station over accessing a subscriber contact directory that is associated with the subscriber device served by the selected subscriber station (P0023);

receiving an indication of a selected contact from the subscriber contact directory (Figure 6, label 604);

establishing a first communication channel over the wireless communication link with the selected subscriber station (Figure 6, labels 612,614);

establishing a second channel over at least one of the wireless communication link and a service provider communication medium to a destination associated with the selected contact (Figure 6, labels 612,616).

#### *Response to Arguments*

5. Applicant's arguments filed in the 5/20/05 Remarks have been fully considered but they are not persuasive because of the following:

The arguments are all directed towards outbound calls as set forth in the Independent claims. However, the claims do not recite 'outbound calls'. Examiner respectfully believes that the prior art teaches the claims as currently recited.

The amended drawings and substitute specification have been accepted.

Examiner respectfully invites Applicants to contact Examiner to discuss possible amendments for overcoming the prior art of record.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Wong et al.** (US 6,839,735) teach controlling access to presence determination using different access types.

**Wakai et al.** (US 6,757,833) teach transmitting mail to users based upon users presence states.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(571) 273-8300, (for formal communications; please mark "EXPEDITED PROCEDURE")

**Or:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Carlyle, Alexandria, VA 22313 (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (571) 272-7543. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (571) 272-7547.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

*Allan Hoosain*  
**Allan Hoosain**  
**Primary Examiner**  
**7/28/05**